

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CASEY O'DELL,	:	CIVIL ACTION NO. 1:18-CV-1944
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
JONATHAN W. CRISP, ESQ., et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 6th day of February, 2019, upon consideration of the report (Doc. 11) of Magistrate Judge Joseph F. Saporito, Jr., recommending that the court dismiss the above-captioned action due to failure by *pro se* plaintiff Casey O'Dell ("O'Dell") to remit the \$350 filing fee and \$50 administrative fee applicable to civil actions, and it appearing that O'Dell has not objected to the report, see FED. R. CIV. P. 72(b)(2), nor has he paid the requisite fees in the more than two months since the court directed him to do so, (see Doc. 10), and the court noting that failure of a party to timely object to a magistrate judge's conclusions "may result in forfeiture of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should "afford some level of review to dispositive legal issues raised by the report," Henderson, 812 F.2d at 878; see also Taylor v. Comm'r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int'l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order to "satisfy itself that there is no clear error on the face of the record," FED. R. CIV. P.

72(b), advisory committee notes, and, following independent review of the record, the court in agreement with Judge Saporito's recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 11) of Magistrate Judge Saporito is ADOPTED.
2. O'Dell's complaint (Doc. 1) is DISMISSED without prejudice.
3. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania